

2016 Regular Session

HOUSE BILL NO. 136

BY REPRESENTATIVE MACK

INDIGENT DEFENSE: Extends the collection of the special cost assessed in criminal cases for the district indigent defender fund

1 AN ACT

2 To amend and reenact R.S. 15:168(B)(1), relative to the judicial district indigent defender
3 fund; to extend the period of time in which the special cost assessed in criminal cases
4 in each judicial district court shall be collected for the district indigent defender fund;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:168(B)(1) is hereby amended and reenacted to read as follows:

8 §168. Judicial district indigent defender fund

9 * * *

10 B.(1) Every court of original criminal jurisdiction, except in the town of
11 Jonesville, in the city of Plaquemine, and in mayors' courts in municipalities having
12 a population of less than five thousand, shall remit the following special costs to the
13 district indigent defender fund for the following violations, under state statute as well
14 as under parish or municipal ordinance, except a parking violation. The sum of
15 forty-five dollars shall be assessed in cases in which a defendant is convicted after
16 a trial, a plea of guilty or nolo contendere, or after forfeiting bond and shall be in
17 addition to all other fines, costs, or forfeitures imposed. The court cost of forty-five
18 dollars authorized by the provisions of this Subsection shall expire on August 1,
19 ~~2016~~ 2017, and thereafter the court cost authorized by the provisions of this
20 Subsection shall be thirty-five dollars. The Louisiana Public Defender Board shall

1 provide a detailed report to the Louisiana Legislature prior to the ~~2016~~ 2017 Regular
2 Session detailing how the funds provided for by this Subsection were utilized in each
3 judicial district. Mayors' courts which are required to assess the court cost of thirty-
4 five dollars on June 7, 2012, shall continue to assess such amount as cost of court.

5 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 136 Reengrossed

2016 Regular Session

Mack

Abstract: Extends the collection of the special cost assessed in criminal cases for the district indigent defender fund, until Aug. 1, 2017.

Present law provides for the assessment of a \$45 special cost in each district court in all criminal cases where the defendant has been convicted, has plead guilty or nolo contendere, or has forfeited bond. Provides for the use and administration of such funds by the district public defender.

Present law provides that the \$45 special cost shall expire on Aug. 1, 2016. Thereafter, the cost shall be \$35 as provided for in present law.

Proposed law extends the expiration date of this special cost to Aug. 1, 2017.

(Amends R.S. 15:168(B)(1))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Changes termination date for \$45 fee from 2020 to 2017.